

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

MICROSPHERIX LLC.,

Plaintiff,

v.

MERCK & CO., INC., MERCK SHARP &  
DOHME CORP., N.V. ORGANON, AND  
MERCK SHARP & DOHME B.V.,

Defendants.

Civil Action No. 2:17-cv-03984-CCC-JBC

**CONSENT ORDER GRANTING *PRO HAC VICE* ADMISSIONS OF  
TRACEY B. DAVIES, MICHAEL A. VALEK, AND BETTY X. YANG**

This matter having been opened to the court by McCarter & English, LLP, attorneys for Defendants Merck & Co., Inc., Merck Sharp & Dohme Corp, N.V. Organon, and Merck Sharp & Dohme B.V. (collectively, the “Defendants”), John E. Flaherty appearing for an Order, pursuant to Local Civil Rule 101.1(c), allowing Tracey B. Davies, Michael A. Valek, and Betty X. Yang, of Gibson, Dunn & Crutcher, LLP, to appear and participate *pro hac vice* on behalf of Defendants; counsel for Plaintiff having consented to the entry of this Order; and the Court having considered this matter pursuant to FED. R. CIV. P. 78, and for good case shown,

IT IS on this 21<sup>st</sup> day of September 2017,

**ORDERED** that Tracey B. Davies, Michael A. Valek, and Betty X. Yang, of Gibson, Dunn & Crutcher, LLP, members in good standing of the Bars in which they are admitted, be hereby permitted to appear *pro hac vice* in this action pursuant to Local Civil Rule 101.1(c); however, all pleadings, briefs and other papers filed with the Court on behalf of Defendants shall be signed by a member or associate of the firm of McCarter & English, LLP, who shall be

responsible for said papers, and for the conduct of the cause, and who shall be present in Court during all phases of these proceedings, unless expressly excused by the Court, and who will be held responsible for the conduct of the attorney admitted hereby; and it is

**FURTHER ORDERED** that Tracey B. Davies, Michael A. Valek, and Betty X. Yang shall remit to the New Jersey Lawyers' Fund for Client Protection the annual payment required in accordance with New Jersey Court Rule 1:28-2(a) for each calendar year this matter is pending; and it is

**FURTHER ORDERED** that Tracey B. Davies, Michael A. Valek, and Betty X. Yang make payment to the Clerk of the Court of this Court in the amount of \$150.00; and it is

**FURTHER ORDERED** that Tracey B. Davies, Michael A. Valek, and Betty X. Yang shall be bound by the General and Admiralty Rules of the United States District Court for the District of New Jersey, including, but not limited to the provisions of L.Civ.R. 103.1, Judicial Ethics and Professional Responsibility, and L.Civ.R. 104.1, Discipline of Attorneys; and it is

**FURTHER ORDERED** that Tracey B. Davies, Michael A. Valek, and Betty X. Yang shall be deemed to have agreed to take no fee in any tort case in excess of the New Jersey State Court Contingency Fee Rule, Rule 1:21-7, as amended.



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HON. JAMES B. CLARK, III  
United States Magistrate Judge